



**ORPHAN'S COURT JUDGES-ELECTIONS AND RESTRICTIONS ON PRACTICING LAW
TESTIMONY BEFORE
JUDICIARY COMMITTEE
FEBRUARY 23, 2022**

**POSITION: FAVORABLE
Indivisible HOCOMD: HB879**

Chair Clippinger, Vice-Chair Moon and members of the Committee, my name is Carol O'Keeffe and I represent the 750+ members of Indivisible Howard County. We are providing written testimony today in support of **HB879** which will ensure that Orphan's Court Judges will be elected in a non-partisan manner and will impose important ethical restrictions.

We live in a highly partisan time and many would consider party affiliation an important consideration in the selection of any judge. However, the administration of estates and the overseeing of guardianship matters is surely an area that we can all agree is a place where party affiliation is totally irrelevant. There is no place for political outlook in what should be a purely administrative process.

More importantly, the proposed provisions that would make statewide the prohibitions on Orphan's Court judges from practicing law in matters within the jurisdiction of the court pertaining to the administration of an estate or guardianship of a minor are straightforward ethics constraints that deserve your favorable consideration. The prohibition will ensure that Orphan's Court judges do not use their positions as a means to secure clients. In a contested estate matter, one can easily imagine a judge ruling in favor of the beneficiary who might be the best source of future client referrals. The ethical dangers of allowing the practice to go unchecked are obvious and it is surprising that the prohibition has been so long in coming.

We encourage your favorable report

Carol B. O'Keeffe

Indivisible HOCOMD